

DRAFT – SUBJECT TO CHANGE

Resolution No. 2012-3

**A Resolution Requesting the Delaware General Assembly to
Approve Charter Changes Proposed by the New Castle City Council**

WHEREAS, the City Council determined that the Charter for the Mayor and Council of New Castle was in need of updating; and

WHEREAS, the City Council appointed a committee to review the Charter and make recommendations for changes to the City Council, which committee membership included a former City Mayor, former City Council President, the current City Solicitor and other conscientious and interested citizens; and

WHEREAS, the Committee met in eight meetings over a span of nine months, which meetings were open to the public and publicized in accordance with FOIA, and in fact the publicity for which exceeded FOIA requirements; and

WHEREAS, the Committee concluded its work and provided a new, proposed Charter to the City Council for their consideration; and

WHEREAS, the City Council held three special workshop meetings to review the proposed changes to the Charter, all of which were open to the public and publicized in accordance with FOIA, and in fact the publicity for which exceeded FOIA requirements, including that a Citywide mailing was sent out informing residents of two of the special workshop meetings, encouraging the public to attend; and

WHEREAS, the mailing also publicized that the City Council would hold a Public Hearing on the proposed changes to the Charter, even though a Hearing was not required, however City Council members were committed to providing citizens with an added opportunity to comment on the proposal; and

WHEREAS, while the City Council was holding workshops and weeks in advance of the Public Hearing, the City had posted on its Web site an Executive Summary and the full text of the proposed Charter changes, providing the public with an added opportunity to review and comment; and

WHEREAS, many of the proposed changes modernize the language and bring the Charter in compliance with Federal and State laws; and

WHEREAS, other noteworthy changes proposed include:

- Changing the official name of the municipality from “The Mayor and Council of New Castle” to the “City of New Castle”;
- Changing the terms of office for elected officials from two years to four years, which change also allows for staggering of the terms of Council members, the Mayor and Council President, providing needed continuity on the Council, positively impacting

government operations, compared to the current system where it is possible that every two years all elected officials could be persons new to serving in City government;

- Changing the requirement that whenever the City proposes to borrow funds or enter into loan agreements, a mandatory referendum of all City voters must occur, and replacing that with a three-tiered system which provides the Council with limited mechanisms to borrow funds without voter approval (two of the tiers), or in some cases voter approval remains a requirement (the third tier).

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby approves that the attached proposal for changes to the New Castle City Charter shall be forwarded to the Delaware General Assembly, requesting that State elected representatives approve the proposed changes in their entirety.

Passed this 14th day of February 2012.

William J. Barthel, City Council President

Donald A. Reese, Mayor

John J. Gaworski, Jr., Councilperson

John W. Cochran, Councilperson

Teel Petty, Councilperson

Theodore H. Megginson, Councilperson

Attest:

Michael A. Dickinson, City Clerk